



07-22-05

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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Commissioner for Patents
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CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590 06/06/2005

Karen J Messick Esq
c/o KOS Pharmaceuticals Inc
1001 Brickell Bay Drive
25th Floor
Miami, FL 33133

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

JAREN C. SILBERTOWN	(Depositor's name)
	(Signature)
7/20/05	(Date)

07/25/2005 RMEBRAH1 00000041 502543 09470603

01 FC:1501 1400.00 DA

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,603	12/22/1999	David J. Bova	20720-103793	6359

TITLE OF INVENTION: HYDROPHOBIC COMPONENT FREE SUSTAINED RELEASE NICOTINIC ACID COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND RELATED METHODS THEREFOR

Adjustment date: 07/25/2005 RMEBRAH1
06/18/2004 MMEKONE1 00000148 502543 09470603
01 FC:1501 1330.00 CR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$70	\$0	\$70	09/06/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
HAGOPIAN, CASEY SHEA	1615	424-400000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
1. KAREN J. MESSICK, ESQ.
2.
3.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

KOS PHARMACEUTICALS, INC.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

MIAMI, FLORIDA USA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-2543 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature
Typed or printed name KAREN J. MESSICK

Date 7/20/05
Registration No. 96,256

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eugenio Cefali
Serial No.: 09/470,603
Filing Date: 22 December 1999
Docket Number: 50454-56101USCIP3
Title: NICOTINIC ACID COMPOSITIONS FOR TREATING
HYPERLIPIDEMIA AND RELATED METHODS THEREFOR
Art Unit: 1615
Examiner: Robert M. Joynes
Date: 18 July 2005

MAIL STOP ISSUE FEE

Commissioner For Patents
P.O. Box 1450

Alexandria, VA 22313-1450

ISSUE FEE TRANSMITTAL

Dear Sir:

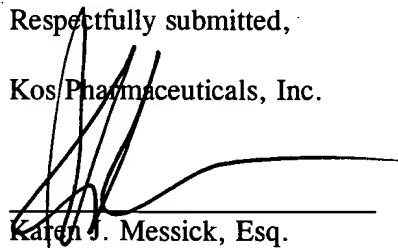
In connection with the above-referenced United States Patent Application and with regards to the Notice of Allowance mailed 6 February 2004, enclosed herewith please find the following items:

- 1) Issue Fee Transmittal Sheet; and
- 2) Return Postcard.

No costs or fees other than those detailed on the Issue Fee Transmittal form are believed to be due in connection with this application, however, please charge any additional costs or credit any overpayment to this deposit account 50-2543.

Respectfully submitted,

Kos Pharmaceuticals, Inc.


Karen J. Messick, Esq.
Attorney for Applicants
Registration No. 46,256

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Date: 7/20/05

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that the attached papers are being deposited with the United States Postal service as: Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on 7/20/05 and is addressed to Commissioner for Patents, Mail Stop Issue Fee P.O. Box 1450, Alexandria, VA 22313-1450.

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Jared G. Silberhorn